

## **CHAPTER 18.30**

### **Manufactured Home Park Plan**

#### **18.30.010 Intent.**

The intent of this Chapter is to support the City's Comprehensive Plan by providing for health and safety in the development and continued maintenance of manufactured home parks/communities by allowing for the development of land in a way which might not be permitted under traditional zoning regulations. These regulations do not apply to existing manufactured housing parks zoned residential manufacture home (RMH) which is addressed in Chapter 19.22 of this Code. It is anticipated that this Chapter will permit developments which will preserve the natural and scenic features of large open areas by arranging homes in innovative ways, thereby promoting the public interest, while at the same time providing an efficient use of land. The purpose of manufactured home parks complying with planned unit development regulations is not to modify or in any way vary or reduce the requirements set forth in this Chapter. (Ord. 499-10; Ord. 1061-97)

#### **18.30.020 Process submittal – plan approval.**

The process of all submittals will comply with the requirements of Chapter 18.28 of this Title, Planned Unit Developments. Copies of all the required material shall be officially submitted to the Planning Department office by the developer, or authorized representative a minimum of three (3) weeks prior to the Planning Commission meeting. No planned unit development (PUD) plan will be considered by the Planning Commission until the developer has complied with the requirements and submitted the supporting documents, as approved herein. (Ord. 499-10; Ord. 1061-97)

#### **18.30.030 Definitions.**

A. *Accessory Structure* – within a manufactured home community: any structural addition to a home or a home site, including but not limited to carports, storage cabinets, awnings, porches and garages.

B. *Carport* is a building or a portion of a building, which is open on three (3) or more sides, in which only motor vehicles used by the tenants of the home on the premises are stored or kept.

C. *Dependent Manufactured Home*: A manufactured home which does not have a flush toilet and bath or shower. Homes that have self-contained toilets and baths or showers (campers, trailers etc.) are considered dependent.

D. *Mobile home* shall mean a factory-built home produced prior to June 15, 1976. No mobile homes are allowed within the City of Evans. Existing mobile homes in place prior to the adoption of the ordinance will be considered legal nonconforming structures.

E. *Manufactured home* shall mean a home built entirely in a factory and certified pursuant to National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401, et seq., commonly referred to as the HUD code. The code went into effect June 15, 1976.

F. *Manufactured home space* shall mean the area designed for accommodation of one (1) mobile home, including its parking and accessory structures.

G. *Modular home* shall mean a factory-built home that is built to the construction codes as adopted by the City of Evans and referenced as the International Residential Code. Modulares are transported to the residential site and installed.

H. *Manufactured home park/community*: Manufactured home park or community can be used interchangeably and is defined as any tract of land designed, used or intended to provide a location or accommodation for homes and within which individual sites for homes are leased. Homes parked or located in such parks are not attached permanently to foundations. The term excludes sales and storage lots on which homes are parked only for inspection and sale. (Ord. 499-10; Ord. 1061-97)

#### **18.30.040 License and license fees.**

A. It is unlawful for any person, firm or corporation to establish, maintain or operate or permit to be established, maintained or operated, any manufactured home park/community within the City without first having secured a license therefore. Each license provided for shall be issued for a calendar-year period. Every person required to be licensed under the provisions of this Chapter shall make application to the City Clerk in writing. Such application shall state the name of the person and in case the applicant is a firm or corporation, the applicant shall state the names of the persons composing the firm or officers of the corporation, the location of the manufactured home park and the number of units located in the manufactured home park. Only one (1) license shall be issued for any mobile manufactured home park/community, regardless of the number of owners of the real estate composing it.

B. The annual license and transfer fee for each manufactured home park shall be in accordance with the fees as established by City Council by resolution.

C. Renewal of license. Upon payment of the annual fee an existing licensee shall be issued a renewal license; the Building Official or designee shall inspect the manufactured home park to insure that the requirements of this Chapter are implemented. After this inspection, the Building Official or designee shall, based on the results of inspection, reissue or suspend the license.

D. Transfer of license. Upon application in writing for transfer of license and payment of the transfer fee, the City Clerk shall issue a transfer of license.

E. License suspension. The City may suspend any license to maintain and operate a park when the licensee has been found guilty of violating any provision of this Chapter, and was not corrected within fifteen (15) days of the violation. However, no suspension shall be effective until at least five (5) days after mailing a notice of intention to suspend. A licensee shall be entitled to be heard by the City Clerk and to present evidence bearing on the question of whether a suspension is warranted under this Section. Each suspension shall continue in force until the cause of the suspension has been fully corrected. A license also shall be subject to suspension under this Section for the failure of the licensee to comply with any requirements imposed by Colorado law or by regulations issued by any agency of the State of Colorado pertaining to anchoring or tying down mobile homes as a safety precaution against natural hazards. Upon suspension, no new homes will be allowed to move in, and if the City corrects the violation it will be at the cost of the licensee. (Ord. 499-10; Ord. 1119-98; Ord. 1061-97)

#### **18.30.050 License application.**

Applications for licenses to operate manufactured home communities or parks shall be filed with the City Clerk. Every application for a license shall be signed by each owner, and each of them will be responsible for any violation of this Chapter regardless of where the event or condition causing the

violation occurs within the manufactured home park/community. Such application shall include the following information:

A. The name and address of the applicant. In case the applicant is a firm or corporation, the applicant shall state the names of the persons composing the firm or officers of the corporation, including any registered agent.

B. The location and legal description of the park.

C. A complete plan of the park in conformity with the requirements of Sections 18.30.060 and 18.30.070 of this Chapter.

D. Plans and specifications of all buildings, improvements and facilities constructed or to be constructed within the home park.

E. Further information, as may be requested by the City staff. (Ord. 499-10; Ord. 1061-97)

#### **18.30.060 Manufactured Home Park Plan – planned unit development (PUD) plan.**

The manufactured home park plan shall conform to all of the requirements for planned unit developments as written in Chapter 18.28, Planned Unit Developments. (Ord. 499-10; Ord. 1061-97)

#### **18.30.070 Additional Manufactured Home Park Plan requirements.**

A. The area devoted to each home space shall be no less than three thousand (3,000) square feet, and shall have the following setbacks.

B. Separation between mobile homes.

1. Homes placed end-to-end shall have a minimum of a ten-foot separation.

2. Homes placed side-by-side shall have a minimum of twenty-foot separation.

3. Homes placed side-to-end shall have a minimum of fifteen-foot separation.

4. No home shall be located closer than ten (10) feet from any building within the park or from any property line bounding the park.

5. Homes including nonremovable tow hitches shall be set back at least five (5) feet from private streets and roadways, and twenty-five (25) feet from public rights-of-way.

C. Parking.

1. Two paved off-street parking spaces shall be required per home.

2. On-street parking shall be allowed only if a twenty-foot wide traveled way is maintained at all times.

3. Visitor parking lots should be established and distributed in an accessible manner functional with surrounding properties.

D. Skirting. Each home shall have perimeter skirting between the ground and the bottom of the home floor within (30) thirty days after placement is made. Such skirting shall be durable, rigid weather-resistant material.

E. Tie-down requirements. All licensees, as well as owners and occupiers of homes, shall be required to comply with any requirements imposed by Colorado law or by regulations issued by any agency of the State of Colorado, including but not limited to the Colorado Division of Housing, pertaining to anchoring or tying down homes as a safety precaution against wind.

F. Decks/landing. A deck/landing is required at all exterior doors complying with minimum standards as set forth by the International Building Code. (Ord. 499-10; Ord. 342-05; Ord. 1061-97)

#### **18.30.080 Directory poster requirements – space designation posting requirements.**

A. A poster shall be installed at or near each entrance to such home park to assist fire, police and service personnel in locating particular home spaces within the park. The poster shall be at least five (5) feet by four (4) feet and shall depict an aerial view of the community in such a way as to identify homes by the number or letter to be posted at each home space. Each home space shall be equipped with a permanent sign with the appropriate number and/or letter having a minimum height of five (5) inches and a minimum stroke of one (1) inch, prominently displayed, showing the number or letter assigned to each such home space.

B. Existing manufactured home parks/communities shall comply with the installation of a directory poster, and will not be considered legal nonconforming. (Ord. 499-10; Ord. 1061-97)

#### **18.30.090 Location.**

Manufactured home communities shall be located only in areas zoned for uses which are consistent with the City's Comprehensive Plan and specifically permitted under the City's zoning and development regulations. Manufactured homes may be located in licensed manufactured home parks within the RMH (residential manufactured home) and PUD (planned unit development) zoning districts. (Ord. 499-10; Ord. 342-05; Ord. 1061-97)

#### **18.30.100 Modifications to homes.**

No structural enlarging will be allowed, so homes can maintain the intended use of their structural purpose. (Ord. 499-10; Ord. 1061-97)

#### **18.30.110 Storage, accessory structures.**

A. Storage. No storage shall be permitted underneath any home unless properly designed and enclosed with skirting. No flammable, combustible or hazardous material shall be stored underneath any home.

B. Accessory structures shall only be permitted in accordance with Chapter 19.48 of the Evans Municipal Code. (Ord. 499-10; Ord. 272-04; Ord. 1061-97)

#### **18.30.120 Supervision.**

The licensee shall be in charge at all times to keep the park, its facilities and equipment in a clean, orderly and sanitary condition. The attendant or caretaker shall be answerable, with the licensee or

permittee, for the violation of any provision of this Chapter to which the licensee or permittee is subject. (Ord. 499-10; Ord. 1061-97)

**18.30.130 Legal nonconforming manufactured home parks.**

Legal nonconforming mobile home parks shall be regulated by Chapter 19.22 of the Evans Municipal Code. (Ord. 499-10; Ord. 320-05; Ord. 1061-97)

**18.30.140 Violation – penalty.**

Any person who violates any of the provisions of this Chapter is guilty of a violation of this Chapter and shall be punished as provided in Section 1.16.010 of the City of Evans Municipal Code. (Ord. 499-10; Ord. 1061-97)